

Court of Appeals, State of Michigan

ORDER

People of MI v Richard Anthony Boston

Docket No. 259044

LC No. 03-013695-FH

David H. Sawyer
Presiding Judge

Richard A. Bandstra

Joel P. Hoekstra
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court VACATES the March 26, 2004, judgment of sentence and REMANDS this case for resentencing within the statutory sentencing guidelines range. In the event the sentencing court departs from such range, the court must state on the record substantial and compelling reasons to justify its departure. See *People v Babcock*, 469 Mich 247; 666 NW2d 231 (2003). We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 04 2005

Date

Sandra Schultz Mengel
Chief Clerk